

21 C.J.S. Courts § 206

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Courts

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VI. Rules of Adjudication, Decisions, and Opinions

B. Stare Decisis

2. Courts Making Prior Decision

§ 206. Trial courts

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West's Key Number Digest

West's Key Number Digest, [Courts](#) 90(1), 96(1)

Trial and other inferior courts' decisions are not precedent—either for appellate courts or for other trial judges—but may nonetheless be entitled to consideration.

Trial or inferior court decisions are not precedents binding other courts,¹ including appellate courts² or other judges of the same trial court.³ Thus, a decision of a federal district court judge is not binding precedent in either a different judicial district, the same judicial district, or even upon the same judge in a different case.⁴ Even though trial judges need not accept prior decisions of judges of the same court, they have the discretion to do so.⁵ Similarly, even though federal district court cases from districts outside the circuit are not precedent, a district court may refer to them for guidance.⁶

However, opinions of the Delaware Chancery Courts, unlike those of trial courts of other states, have precedential value.⁷

CUMULATIVE SUPPLEMENT

Cases:

A district court's decision does not have stare decisis effect; it is not a precedent. [DM Trans, LLC v. Scott](#), 38 F.4th 608 (7th Cir. 2022).

[END OF SUPPLEMENT]

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Footnotes

1 Cal.—[Harrott v. County of Kings](#), 25 Cal. 4th 1138, 108 Cal. Rptr. 2d 445, 25 P.3d 649 (2001).

Bankruptcy Appellate Panel decisions

A federal district court is not bound by a Bankruptcy Appellate Panel's (BAP) decision although the BAP's decision constitutes persuasive authority given its special expertise in bankruptcy issues and to promote uniformity of bankruptcy law throughout the circuit.

U.S.—[In re Mwangi](#), 473 B.R. 802 (D. Nev. 2012), aff'd, 764 F.3d 1168 (9th Cir. 2014).

2 Conn.—[Towbin v. Board of Examiners of Psychologists](#), 71 Conn. App. 153, 801 A.2d 851 (2002).

State supreme court

Mont.—[Bordas v. Virginia City Ranches Ass'n](#), 2004 MT 342, 324 Mont. 263, 102 P.3d 1219 (2004).

R.I.—[Impulse Packaging, Inc. v. Sicajan](#), 869 A.2d 593 (R.I. 2005).

3 U.S.—[American Elec. Power Co., Inc. v. Connecticut](#), 564 U.S. 410, 131 S. Ct. 2527, 180 L. Ed. 2d 435 (2011); [Vessels v. Secretary of Dept. of Health & Human Services](#), 65 Fed. Cl. 563 (2005).

Haw.—[Chun v. Board of Trustees of Employees' Retirement System of State of Hawaii](#), 92 Haw. 432, 992 P.2d 127 (2000).

4 U.S.—[Camreta v. Greene](#), 563 U.S. 692, 131 S. Ct. 2020, 179 L. Ed. 2d 1118 (2011); [U.S. v. Articles of Drug Consisting of 203 Paper Bags](#), 818 F.2d 569 (7th Cir. 1987).

5 Md.—[Scott v. State](#), 150 Md. App. 468, 822 A.2d 472 (2003), judgment aff'd, 379 Md. 170, 840 A.2d 715 (2004).

6 U.S.—[Alperin v. Vatican Bank](#), 410 F.3d 532 (9th Cir. 2005).

7 Ala.—[Scrushy v. Tucker](#), 70 So. 3d 289 (Ala. 2011).

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